

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MICHELLE OGRIN,

Plaintiff,

vs.

VALENTINE & KEBARTAS, INC. and
KATHY DOE.

Defendants.

NO. CV-13-00269-JLQ

ORDER DIRECTING ENTRY OF
JUDGMENT AND CLOSING OF
FILE

On November 26, 2013, this court issued an Order to Show Cause, pursuant to Fed.R.Civ.P. 4(m), why the action should not be dismissed without prejudice. On November 27, 2013, the Plaintiff filed a Notice of Voluntary Dismissal pursuant to Fed.R.Civ.P. 41. Generally, a voluntary dismissal filed before the opposing party serves an answer or motion for summary judgment is without prejudice, "unless the notice or stipulation states otherwise." FRCP 41(a)(1)(B). Here, the Notice states that dismissal is with prejudice and without an award of costs or fees to any party. Accordingly,

IT IS HEREBY ORDERED:

The Clerk of this court shall enter judgment of dismissal of the Complaint and the claims therein with prejudice and without costs or attorneys fees to any party.

IT IS SO ORDERED. The Clerk is hereby directed to enter this Order and Judgment, furnish copies to counsel, and close this file.

DATED this 9th day of December, 2013.

s/ Justin L. Quackenbush
JUSTIN L. QUACKENBUSH
SENIOR UNITED STATES DISTRICT JUDGE